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Attorneys for Defendant

HMB LLC d/b/a and a/k/a Servehzah Bottle Shop and Tap Room

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

VICTOR AGUIRRE-VILLANUEVA,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

HMB LLC d/b/a and a/k/a SERVEHZAH
BOTTLE SHOP AND TAP ROOM;
EMPLOYEE(S)/AGENT(S) DOES 1-10; and
ROE CORPORATIONS 11-20, inclusive,

Defendant.

CASE NUMBER: 2:23-cv-01001-CDS-VCF

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO STAY DISCOVERY
PENDING MEDIATION**

Plaintiff Victor Aguirre-Villanueva (“Plaintiff”) and Defendant HMB LLC d/b/a and a/k/a Servehzah Bottle Shop and Tap Room (“Defendant”) (collectively, the “Parties”) by and through their respective counsel, hereby stipulate and respectfully request that the Court stay discovery pending completion of the parties’ settlement discussions and anticipated mediation. The Parties believe the proposed stay is in their and the Court’s best interests.

In support of this request, the Parties provide the following information for the Court’s consideration:

1 1. On May 30, 2023, Plaintiff filed his Collective and Class Action Complaint with the
2 Eighth Judicial District Court in and for Clark County, Nevada. *See* ECF No. 1-1. Thereafter, on
3 June 29, 2023, Defendant removed the action to this Court. *See* ECF No. 1. Defendant filed its
4 Answer (ECF No. 5) on June 30, 2023.

5 2. The Parties' counsel held a Fed. R. Civ. P. 26(f) conference on July 10, 2023, and
6 have discussed attempting early resolution in mediation.

7 3. The parties recognize that substantial time and costs will be expended to review the
8 considerable amount of documents to be produced in discovery, including pay and time records of
9 the putative class, expert discovery, depositions, and motion practice. The parties agree that it is in
10 their best interest to wait until the mediation process is complete prior to expending the resources
11 necessary for protracted litigation.

12 4. In order to conserve the parties' and the Court's resources, to promote judicial
13 economy, and to increase the likelihood of a successful mediation, the parties have agreed, subject
14 to the Court's approval, to stay all litigation proceedings for approximately 90 days, in order for
15 the parties to select an available mediator and complete the agreed-upon mediation.

16 5. In the event that the parties are unable to reach a resolution at the mediation, the
17 parties agree to file a joint status report informing the Court of the same. The parties further agree
18 to file a proposed discovery plan and scheduling order within two weeks of filing the joint status
19 report.

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6. This stipulation is made in good faith and not for the purposes of delay.

DATED this 14th day of August, 2023.

GABROY | MESSER

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By: /s/ Christian Gabroy

By: /s/ Jennifer K. Hostetler

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IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: 8-14-2023